

Department of Planning and Zoning

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MEMORANDUM

To: Development Review Board
From: Mary O'Neil, AICP, Senior Planner *moniel*
Date: January 6, 2014
RE: ZP15-0468CA; 166 East Avenue

Note: These are staff comments only. Decisions on projects are made by the Development Review Board, which may approve, deny, table or modify any project. THE APPLICANT OR REPRESENTATIVE MUST ATTEND THE MEETING.



File: ZP 15-0468CA

Location: 166 East Avenue

Zone: RL **Ward:** 1

Date application accepted: October 6, 2014

Revised plans received: December 14, 2014

Applicant/ Owner: Germain Mopa

Request: Addition to existing duplex.

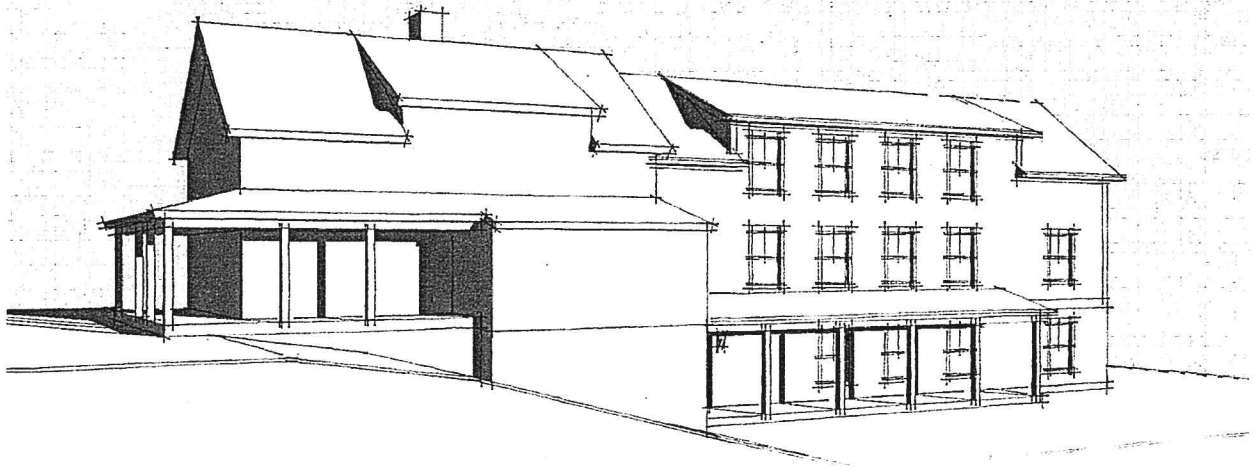
Estimated Construction Cost: \$205,000

Background:

- **Zoning Permit 12-1081CA;** replace one window. Approved May, 2012.
- **Letter from Code Enforcement Office to owner Edith Turner dated June 5, 2001.** Determination by CE based on information provided by applicant that the single family house was converted to 2 units c. 1965, and the use is now a duplex.
- **Zoning Permit 77-126;** erect a new porch foundation and replace some floor joists, enclose a portion of the porch. July 1976.

Overview: 166 East Avenue is a residential structure with 2 dwelling units. The application includes removal of a small (14' x 24') attached rear garage/addition from this c. 1880 structure and replacement with a three story, 54' x 20' addition with a 6' x 37' entrance porch. The use is proposed to remain a duplex.

The house is on the Vermont State Register of Historic Resources.



The **Design Advisory Board** reviewed the application at their October 28, 2014 meeting, and voted to move the application to the Development Review Board with the following comments and recommendations for revisions to the plan:

1. Include walkway to city sidewalk, distinct from the driveway, providing a material difference or vertical or horizontal separation from the driveway.
 2. Parking plan must show 4 cars.
 3. Illustrate a curbing plan as a parking barrier.
 4. The DAB recognizes bicycle storage in existing basement.
The DAB recommendation for approval is subject to
 5. A recommendation to change the roofline; examining opportunities to minimize or eliminate the continuation of the plane of the eaves. Such revisions may be forwarded to the DRB after staff review and approval.
 6. All plans submitted to the DRB shall include specifications of siding, trim, walkway and driveway materials.
- Vote 5-0. Motion passed.

The applicant has submitted revised plans (12/14/2014) in which the roofline of the rear addition is dropped to 1'9" lower than the existing building ridge line; and the eaves of the addition are no longer continuous with the front building. Parking and a walkway are now illustrated, and materials defined.

Recommendation: Table for revisions to meet required setbacks, provide additional plans and recommendations to minimize the scale of the addition; per the following findings:

I. Findings:

Article 3: Applications, Permits, and Project Reviews

Section 3.2.7 Administrative Review and Approval

- (a) *The administrative officer is hereby authorized to undertake the review and approval of all of the following types of applications:*

10. Simple renovations in design control districts such as door and window changes, re-siding, re-roofing, enclosing porches, adding a shed or garage, and **additions no greater than 500 square feet in size** that otherwise comply with all applicable dimensional standards of Article 4 and the development review criteria of Article 6.

The proposed addition is greater than 500 sq. feet in size (1080 sq. ft. x 3 floors = 3240 sq. ft.), and therefore is not under Administrative Review. As a Level II application, the DRB has authority for review and decision.

Part 3: Impact Fees

Section 3.3.3 Exemptions and Waivers

(a) **Exemptions:** *The following types of development are exempt from this Part:*

1. *Additions to existing dwelling units provided such additions are for residential purposes.*

The proposed addition does not create any additional dwelling units, and is intended for residential purposes. **Not applicable.**

Article 4 Zoning Maps and Districts

Section 4.4.5, Residential Districts

Section 4.4.5 (a) Dimensional Standards and Density

Table 4.4.5-1 Minimum Lot Size and Frontage: RL

The property meets the minimum lot size (10,000) for a duplex in the RL zoning district with a lot size of 10,890. It meets the minimum frontage of 60' (66'); and therefore is a conforming lot. **Affirmative finding.**

Table 4.4.5-2; Base Residential Density

No change in the number of units is included within this application. This is an existing duplex; the addition is proposed to house one unit and the 2nd unit will expand into the existing structure. **Affirmative finding.**

Table 4.4.5-3 Residential District Dimensional Standards

Zoning District	Max. Lot Coverage	Setbacks			Max. Height
		Front	Side	Rear	
RL	35%	Min/Max: Ave. of 2 adjacent lots on both sides +/- 5-feet	Min: 10% of lot width Or ave. of side yard setback of 2 adjacent lots on both sides	Min: 25% of lot depth but in no event less than 20' Max required: 75-feet	35-feet
Proposal	25.77% existing 34.23% proposed	No change.	11' proposed on north, 3' proposed on south. Does not meet minimally required 5' side yard setback on south.	Walkway + buildings = 105' depth; 165-105 = proposed 60' rear yard setback. Required: 25% of 165' = 41.25'.	Proposed addition is less than existing building height.

Adverse finding for meeting minimally required side yard setbacks on south.

Section 4.4.5 (c) Permitted and Conditional Uses

This is an existing duplex, recognized in 2001 (see “Background”, above.)

Duplex is a Conditional Use in the RL zone; however no changes to the number of units are proposed. The use will remain a duplex. **Affirmative finding.**

Section 4.4.5 (d) District Specific Regulations

1. Setbacks

A. Encroachment for Residential Driveways

This standard allows for encroachment on existing, developed, nonconforming lots containing single family homes. This is a conforming lot (> 10,000 sq. ft. for a duplex) and is not a single family home. The provision to allow for encroachment for residential driveways is not extended to this parcel due to its use. The proposed 3’ south side yard setback is not in conformance with the CDO.

Standard not applicable to subject parcel. **Adverse finding** for noncompliance with setback.

B. Encroachment into the Waterfront Setback

Not applicable.

2. Height

The proposed addition height is less than the existing building height, as measured from the street front. **Affirmative finding.**

3. Lot Coverage

See Table 4.4.5 -3.

4. Accessory Residential Structures and Uses

The existing accessory structure (160 sq. ft.) will be removed for this development. No other accessory structures are proposed. **Affirmative finding.**

5. Residential Density

A. Additional Unit to Mult-Family.

The applicant has not requested an additional residential unit, as it is improbable that 2 additional conforming parking spaces could be identified on the plan. Not applicable.

B. Additions to Existing Residential Structures

No request for an addition to an existing structure shall be considered or imply approval of an additional unit, unless requested specifically on the zoning permit application form.

See above. While the applicant has an interest in identifying space for a parent, the inability to isolate an additional 2 parking spaces on the site plan prevent the request for a third unit.

Accessory units may only be considered within single family homes. (This is a duplex.)

The use will remain a duplex. **Affirmative finding as conditioned.**

C. Residential Occupancy Limits

In all residential districts, the occupancy of any dwelling unit is limited to members of a family as defined in Article 13.

All Provisions and limitations of the Functional Family ordinance shall remain in effect. Not more than 4 unrelated adults may occupy any dwelling unit. **Affirmative finding as conditioned.**

6. Uses

No change to use. The property remains a duplex. **Affirmative finding as conditioned.**

7. Residential Development Bonuses

Not applicable.

Article 5: Citywide General Regulations

Section 5.1.2 Structures

(a) Lot Coverage

See Table 4.4.5-3, above.

(b) Exceptions to Lot Coverage

The overall development falls within the allowable coverage limitations of the zoning district. See Table 4.4.5-3, above. Not applicable.

Section 5.2.4 Buildable Area Calculation

The property is not 2 or more acres in size. Not applicable.

Section 5.2.5 Setbacks

(a) Setbacks Required.

See Table 4.4.5-3, above. **Adverse finding** for south sideyard setback.

(b) Exceptions to Yard Setback Requirements:

4. *Accessory Structures and parking areas: Accessory structures no more than 15 feet in height, parking areas, and driveways may project into a required side and rear yard setback provided they are no less than five (5) feet from a side or rear property line where such a setback is required.*

The proposed driveway/parking area is illustrated 3' from the side (south) property line, and therefore not conforming to this standard. See Table 4.4.5-3 for required setback standards. **Adverse finding.**

Section 5.2.6 Building Height Limits

The proposed addition will not exceed the height of the existing building as measured from the public sidewalk or street. **Affirmative finding.**

Section 5.2.7 Density and Intensity of Development Calculations

No changed is proposed to the use. The structure shall remain a duplex. **Affirmative finding as conditioned.**

Part 3: Non-Conformities

Not applicable.

Part 4: Special Use Regulations

Section 5.4.5 Accessory Dwelling Units

Although the applicant has asked about the potential to create a third floor accessory dwelling unit for a parent, this provision only applies to single family dwellings. And ADU cannot be considered for a duplex. Therefore, this application cannot include an accessory dwelling unit. The property shall remain a duplex. Not applicable.

Sec. 5.4.8 Historic Buildings and Sites

(a) Applicability:

These regulations shall apply to all buildings and sites in the city that are listed, or eligible for listing, on the State or National Register of Historic Places.

166 East Avenue is listed on the Vermont State Register of Historic Resources. See attached listing.

(b) Standards and Guidelines:

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

The property was a single family home until approximately 1965 (information given to Code Enforcement Office in 2001) when the use was changed to a duplex. This application proposes the continued use as a duplex; however the proposed size of the addition and the number of new bedrooms introduces the potential for much greater intensity of use. The new addition threatens the modest residential usage customary to the site and within the Low Density (RL) zoning district. Spatially the proposed addition alters the character of the dwelling.

2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

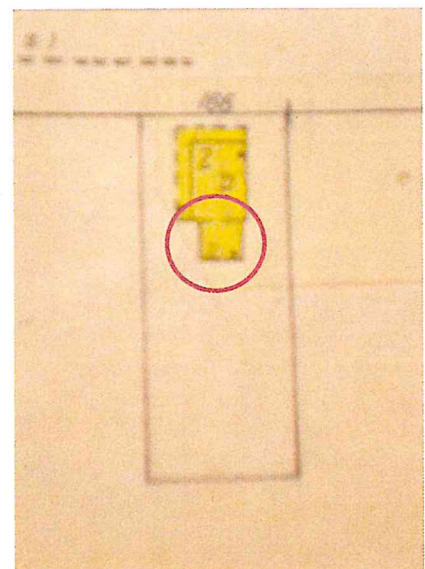
The application will present a significant alteration of the spatial relationship that characterizes the structure, in conflict with this standard.

3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

The addition of such enormity conflicts with the character of the structure and deviates from the essential, modest residential character of the existing building.

4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

The rear addition, constructed prior to 1926, has historic merit in its own right. Of note are the garage shed and doors, which appear to be original and contribute to the character of the



1926 Sanborn detail

structure. The DAB, however, could support the addition with the recommendations for revisions as noted.

5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

Although not defined in the application, the significant porch and trim details on the existing house should be retained as they are important features of the primary dwelling. See historic register listing for specific details of slot posts and scroll sawn curvilinear brackets.

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials recognizing that new technologies may provide an appropriate alternative in order to adapt to ever changing conditions and provide for an efficient contemporary use. Replacement of missing features will be substantiated by documentary and physical evidence.*

The proposed removal of the small rear addition will eliminate an element that contributes to the building's character; but is not related to deterioration or material failure.

7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

No chemical treatments are understood within this plan; partial demolition will alter the building's character. The DAB, however, could support the addition with the noted revisions.

8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

No archaeological resources have been identified; however if any are disturbed during development, appropriate authorities shall be contacted and consulted for suitable treatment of artifacts.

9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.*

While there is some agreement between the existing structure and the proposed addition (roof form, dormers, porches), the overwhelming impact is that of the scale and size. The proposed addition negatively alters the spatial relationship of the dwelling on the site. The addition is challenging in its mass, although the abrupt attachment to the historic structure has been softened by lowering the ridge and eavelines. While the first floor benefits from falling into the grade change, the breadth of the rear addition overwhelms the existing structure. In volume, the addition is nearly double the size of the residence (197% of existing floor area), and therefore is incompatible with the character of the existing historic building.

10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

While unlikely, it is possible to consider the future elimination of the proposed addition with the majority of the historic house discernable. The existing 2 story rear addition, however, would be lost. **Adverse finding** for compatibility of mass and scale.

Article 6: Development Review Standards

PART 1: Land Division Design Standards

Not applicable.

PART 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

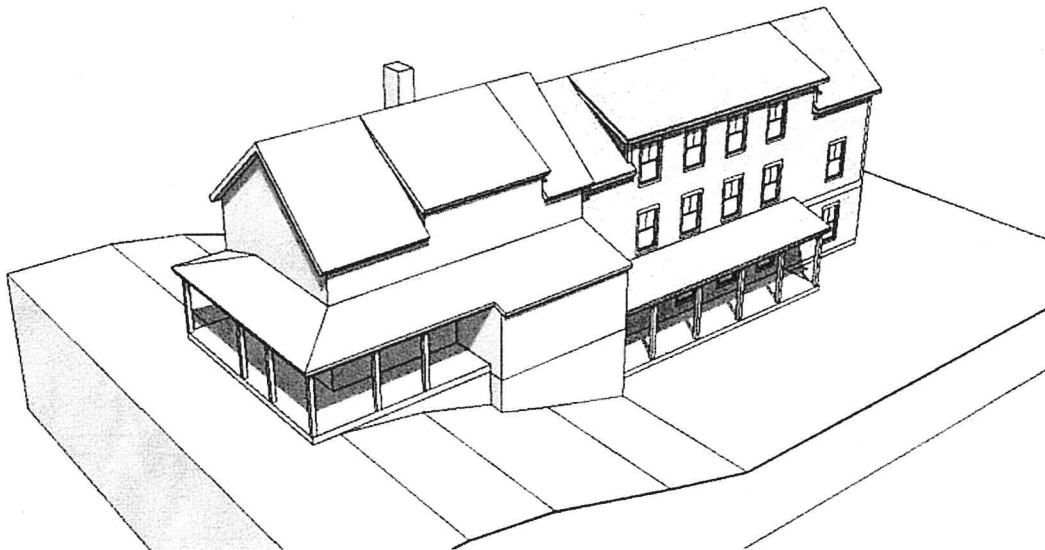
(a) Protection of Important Natural Features:

The landscape, existing terrain and any significant trees and vegetation shall be preserved in their natural state insofar as practicable in keeping with the objectives of the underlying zoning district.

From submitted photographs and ortho views, there is at least one mature tree in the location of the proposed addition. The applicant has not provided a plan reflecting existing conditions, a proposed landscaping plan, or a tree protection plan as part of the submission material. All are required. **Adverse finding** for no landscaping or tree protection plan.

(b) Topographical Alterations:

The proposed addition takes advantage of the grade change to maximize new habitable area. Any additional grading or site alterations should be noted on plans. A modeling study suggests the grade change, but no contours have been provided on plans. An EPSC plan has been approved by the Stormwater Engineer, however. **Affirmative finding.**



(c) Protection of Important Public Views:

There are no protected public views from this site. Not applicable.

(d) Protection of Important Cultural Resources:

Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Archeological sites likely to yield information important to the city's or the region's pre-history or history shall be evaluated, documented, and avoided whenever feasible. Where the proposed development involves sites listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8(b).

See Section 5.4.8.

(e) Supporting the Use of Renewable Energy Resources:

The large southerly exposure of the proposed addition will likely provide solar gain via the extensive windows proposed on all three floors.

A solar shadow study has not been prepared to understand any adverse impact on neighbors due to the increased building volume. Some shadow effects may be expected on the residential property to the north.

All development is required to meet energy efficiency standards as defined by Burlington Electric, and appropriate state energy efficiency codes now in effect. **Affirmative finding as conditioned.**

(f) Brownfield Sites:

None identified.

(g) Provide for nature's events:

Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.

An EPSC plan has been submitted and approved by the City Stormwater administrator.

Design features which address the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage from circulation areas shall also be incorporated.

A canopy has been provided on the southerly façade of the addition to provide some refuge from inclement weather. **Affirmative finding.**

(h) Building Location and Orientation:

This is an application to replace an existing structural addition with a much larger building volume. The rear addition is identified on the 1926 Sanborn Map. It retains the apparent original garage doors, which are noted in the Vermont State Register listing (see attached.) The addition is located behind the original dwelling, and extends into the rear of the lot.

Affirmative finding.

(i) Vehicular Access:

This is an existing duplex with a single curb cut. The site plan proposes no change from the existing; however aerial photos do not match the existing driveway/parking pattern that is illustrated on the site plan. See comments about parking, below.

Driveways for commercial properties may require a traffic study to identify the impacts of the movement of traffic to and from the property, and design for safe access. Access for service and loading areas should be located behind buildings or otherwise screened from streets or public ways with landscaping or other barriers.

As this is proposed to continue use as a duplex, no increase in the volume of traffic at the site is anticipated. **Affirmative finding.**

(j) Pedestrian Access:

Pedestrians shall be provided one or more direct and unobstructed paths between a public sidewalk and the primary building entrance. Well defined pedestrian routes shall be provided through parking areas to primary building access points and be designed to provide a physical separation between vehicles and pedestrians in a manner that minimizes conflicts and improves safety. Where sidewalks and driveways meet, the sidewalk shall be clearly marked by differentiated ground materials and/or pavement markings.

Walkways are illustrated between the parking area and the existing house and proposed new addition. **Affirmative finding.**

(k) Accessibility for the Handicapped:

Fully accessible units are not a mandate, although *standards of visitability* may apply. The applicant's design team is encouraged to work with appropriate officials to determine the level of accessibility for this new development per Vermont's 2012 *Adaptable & Visitable Standards for Dwellings*. **Affirmative finding.**

(l) Parking and Circulation:

The submitted site plan for existing conditions does not match aerial and historic ortho views of the parking pattern on the property. Since 1978, it is clear that the parking has moved away from a circulation pattern to the rear garage, toward a curved pattern that appears to cross property lines to the south.



1978



2000



2004

The applicant asserts that the development of the abutting, southerly site (Burlington Co-Housing) has altered the parking pattern to what is detailed in the “existing” site plan, as submitted. There are no permits for the parking area as illustrated in the above images.

The city did not recognize the duplex until 2001, so parking for 2 vehicles would have been expected.

As a duplex, 4 parking spaces are required. The large parking area observable in photographs is excessive for the use, and it was not permitted via the zoning process. It certainly seems to extend beyond the property boundaries.

All parking areas shall provide a physical separation between moving and parked vehicles and pedestrians in a manner that minimizes conflicts and gives pedestrians a safe and unobstructed route to building entrance(s) or a public sidewalk.

As noted, small walkways between the parking area and the structure are illustrated on the proposed site plan.

A revised site plan submitted 12/14/2014 shows parking for four vehicles; however it encroaches into a required side yard setback. A minimum 5' setback is required for parking areas.

Where bicycle parking is provided, access shall be provided along vehicular driveways or separate paths, with clearly marked signs indicating the location of parking areas. Where bicycle parking is located proximate to a building entrance, all shared walkways shall be of sufficient width to separate bicycles and pedestrians, and be clearly marked to avoid conflicts. All bicycle parking areas shall link directly to a pedestrian route to a building entrance. All bicycle parking shall be in conformance with applicable design & construction details as provided by the dept. of public works.

Both long term and short term bicycling parking are recommended. Section 8.2.3 exempts this development from providing bicycle parking. As the use continues to include a rental unit, some short term bike parking is strongly recommended, especially as the shed is proposed to be removed. The applicant proposes all bike parking to be in the basement.

Adverse finding for parking area setback.

(m) Landscaping and Fences:

No landscaping details have been provided, and are required.

Additionally, some barrier will be required to specifically define the parking area and to prevent parking lot creep, as is evident in ortho photos from 1978. Revised plans include paving of the new driveway. Some method to contain the parking must be provided.

No finding possible.

(n) Public Plazas and Open Space:

A large part of the rear yard will remain open and available to resident recreational use.

New structures and additions to existing structures shall be shaped to reduce shadows on public plazas and other publicly accessible spaces. In determining the impact of shadows, the following factors shall be taken into account: the mass of area shaded, the duration of shading, and the importance of sunlight to the utility of the type of open space being shadowed. Proposed development shall be considered for solar impact based the sun angle during the Vernal and Autumnal equinox.

No shadow study has been submitted that will provide information about potential adverse impacts on the neighboring property to the north; however this standard pertains to shadow cast on public plazas and publically accessible space. The northerly property is not a public space.

Affirmative finding.

(o) Outdoor Lighting:

Where exterior lighting is proposed the applicant shall meet the lighting performance standards as per Sec 5.5.2.

Although fixtures are illustrated on building elevations, no lighting information has been submitted and must be. **No finding possible.**

(p) Integrate infrastructure into the design:

Utility and service enclosures and screening shall be coordinated with the design of the principal building, and should be grouped in a service court away from public view. On-site utilities shall be placed underground whenever practicable. Trash and recycling bins and dumpsters shall be located, within preferably, or behind buildings, enclosed on all four (4) sides to prevent blowing trash, and screened from public view.

Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize insofar as practicable, any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 4 Performance Standards.

Submission materials do not define exterior storage areas, machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory structures. Similarly, no dumpster or recycling area is defined. All shall be described so an assessment may be made for the need of screening, enclosures, or other mitigation to minimize their auditory and visual impact on the public street and neighboring properties.

No finding possible.

PART 3: ARCHITECTURAL DESIGN STANDARDS

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

Proposed buildings and additions shall be appropriately scaled and proportioned for their function and with respect to their context. They shall integrate harmoniously into the topography, and to the use, scale, and architectural details of existing buildings in the vicinity.

The following shall be considered:

1. Massing, Height and Scale:

While architectural styles or materials may vary within a streetscape, proposed development shall maintain an overall scale similar to that of surrounding buildings, or provide a sensitive transition, where appropriate, to development of a dissimilar scale.

In low and medium density residential districts, the height and massing of existing residential buildings is the most important consideration when evaluating the compatibility of additions and infill development.

Buildings should maintain consistent massing and perceived building height at the street level, regardless of the overall bulk or height of the building. Buildings should maintain a relationship

to the human scale through the use of architectural elements, variations of proportions and materials, and surface articulations. Large expanses of undifferentiated building wall along the public street or sidewalk shall be avoided. The apparent mass and scale of buildings shall be broken into smaller parts by articulating separate volumes reflecting existing patterns in the streetscape, and should be proportioned to appear more vertical than horizontal in order to avoid monotonous repetition.

The proposed addition, with a 1080 sq. ft. footprint is 196% of the existing house (including the rear addition.) The Assessor's records show 1645 sq. ft. of finished area in the existing dwelling. With three floors of habitable area proposed, that is an additional 3240 sq. ft. of new living space.

The changing grade benefits the rear addition, in that there is a minor amount of reduction in the visibility of the mass. However the sheer volume of the proposed new area overwhelms the original historic house, and is out-of-character for the duplex lot. Although the Co-Op housing is immediately to the south, the larger buildings are separate from the historic house that fronts East Avenue, and the building volumes are set off from the road frontage.

Revised plans have lowered the rear roofline and dormer height, minimizing the apparent building addition height.

In mass, breadth and scale, the proposed addition challenges typical residential building additions and is generally inconsistent with the low density residential character of the street.

Adverse finding.

2. Roofs and Rooflines.

New buildings should incorporate predominant roof forms and pitches within the existing neighborhood and appropriate to the context. Large expanses of undifferentiated roof forms shall be avoided. This can be achieved by incorporating dormers or some variation in the roof form to lessen the impact of the massing against the sky. While flat roofs can be a reasonable architectural solution, pitched roof forms and architectural elements that enhance the city's skyline are strongly encouraged. Roof eaves, parapets, and cornices should be articulated as an architectural detail. Roof-top mechanicals shall be screened from view from the public street, and should be incorporated into and hidden within the roof structure whenever possible.

A gabled roof is proposed, with a full height dormer on the south elevation. Both of these features are present on the existing house (although in much smaller scale.)

Solar panels, light colored ballast or roof membranes, split roof clerestories, planted or "green" roof technologies (with a clearly articulated maintenance plan) and "gray water" collection are encouraged. Active rooftop uses are also encouraged to add to the visual complexity and activity of the city's skyline, and afford public access to otherwise unseen views of the city and surrounding landscape.

None are proposed.

Affirmative finding.

3. Building Openings

Principal entrances shall be clearly defined and readily identifiable from a public street whether by a door, a canopy, porch, or other prominent architectural or landscape features. People with physical challenges should be able to use the same entrance as everyone-else and shall be provided an "accessible route" to the building. Attention shall also be accorded to design features which provide protection from the affects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage.

An entrance is proposed on the lower level of the first floor; however it is largely hidden from view due to topographical changes, the existing enclosed porch structure and under the canopy. Those approaching from the parking area should be able to identify the entrance, however.

Window openings shall maintain consistent patterns and proportions appropriate to the use. The window pattern should add variety and interest to the architecture, and be proportioned to appear more vertical than horizontal.

Window pattern on the southern elevation are rhythmic in their placement, and centered under the full dormer. Paired double hung sash are illustrated in the east elevation; the north elevation has only a handful of windows on the first and 2nd floor; none on the third. Presumably this is to provide privacy from the immediate neighbors. **Affirmative finding.**



(b) Protection of Important Architectural Resources:

Burlington's architectural and cultural heritage shall be protected through sensitive and respectful redevelopment, rehabilitation, and infill. Where the proposed development involves buildings listed or eligible for listing on a state or national register of historic places, the applicant shall meet the applicable development and design standards pursuant to Sec. 5.4.8. The introduction of new buildings to a historic district listed on a state or national register of historic places shall make every effort to be compatible with nearby historic buildings.

See Section 5.4.8, below.

(c) Protection of Important Public Views:

There are no protected public views from this site. Not applicable.

(d) Provide an active and inviting street edge:

The original house will continue to present the street face; however the sheer volume of the addition has the potential to influence observation by the public.

The proposed materials (vinyl siding, asphalt roofing) will reference the existing structure, although the original material there is wood clapboard.

Affirmative finding for presentation of original building to streetscape.



Existing street view of 166 East Avenue.
Note visibility of rear addition area from the street.

(e) Quality of materials:

All development shall maximize the use of highly durable building materials that extend the life cycle of the building, and reduce maintenance, waste, and environmental impacts. Such materials are particularly important in certain highly trafficked locations such as along major streets, sidewalks, loading areas, and driveways. Efforts to incorporate the use of recycled content materials and building materials and products that are extracted and/or manufactured within the region are highly encouraged.

Owners of historic structures are encouraged to consult with an architectural historian in order to determine the most appropriate repair, restoration or replacement of historic building materials as outlined by the requirements of Art 5, Sec. 5.4.8.

Plans define materials thus: "Siding, trim, gable and eave details to match existing." Supplemental information informs that vinyl siding and trim are proposed for the addition. The Assessor's files define existing materials as wood clapboard with an asphalt shingle roof. Vinyl is not considered to be a durable material; however it has been permitted for new construction and building additions. Encouragement is offered to provide sheathing choice that will retain its function and appearance for a longer period of time.

Affirmative finding.

(f) Reduce energy utilization:

See 6.2.2. (e).

(g) Make advertising features complementary to the site:

No signage is proposed. Any signs will require a separate sign permit.

(h) Integrate infrastructure into the building design:

See Section 6.2.2. (p).

(i) Make spaces secure and safe:

Spaces shall be designed to facilitate building evacuation, accessibility by fire, police or other emergency personnel and equipment, and, to the extent feasible, provide for adequate and secure visibility for persons using and observing such spaces. Building entrances/entry points shall be visible and adequately lit, and intercom systems for multi-family housing should be incorporated where possible, to maximize personal safety.

All development is required to follow building and life safety codes as defined by Burlington's building inspector and the fire marshal.

Adequate lighting at building entrances will be required. No lighting information has been submitted, and will be required to meet Lighting Standards as defined in Section 5.5.2 of the ordinance. **Affirmative finding as conditioned.**

Article 8: Parking

Table 8.1.8-1 requires 2 parking spaces for each residential unit within the Neighborhood Parking District. Although the revised site plan illustrates 4 spaces (for 2 units), meeting the requirement for the parking district, the parking area encroaches into a required side yard setback. See Table 4.4.5-3, above. **Adverse finding** for parking area encroachment into setback.

Part 2: Bicycle Parking

Section 8.2.3 Existing Structures

Any expansion or change of use proposed for an existing structure where four (4) bicycle spaces or less would be required shall be exempt from providing those spaces.

Under this standard, the proposed development is exempt from providing bicycle parking. It is recommended that bicycle parking be provided, as one unit is a rental. **Affirmative finding.**

Article 13: Definitions

Family: (excerpt)

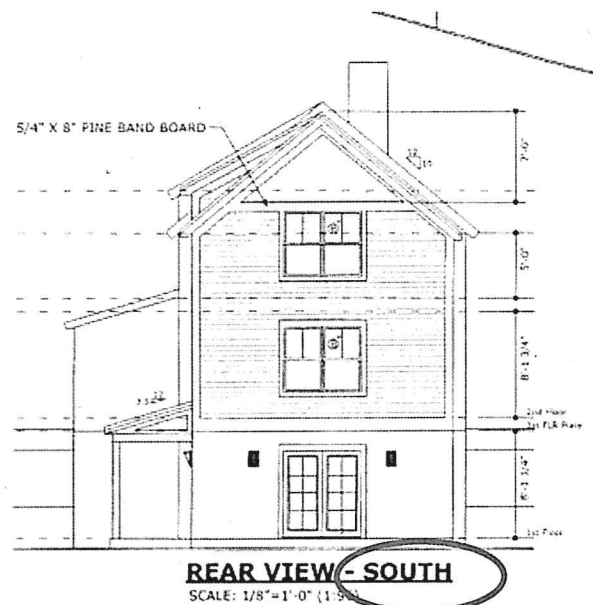
(e) No more than four unrelated adults and their minor children.

For purposes of this definition of family, a group of adults living together in a single dwelling unit and functioning as a family with respect to those characteristics that are consistent with the purposes of zoning restrictions in residential neighborhoods shall be regarded as a "functional family unit", and shall also qualify as a family hereunder. (See Article 13 for full definition.)

II. If considered for approval, recommended Conditions of Approval

1. No request for an addition to an existing structure shall be considered or imply approval of an additional unit. The property shall remain a duplex.

2. The applicant will be required to identify any mature plantings on the existing conditions site plan. A **tree protection plan** (if appropriate) and a **proposed landscaping plan** must be provided **prior to release of any zoning permit**.
3. The proposed parking area must meet a minimum 5' side yard setback.
4. Both long and short term bicycle parking is recommended. [The DAB has accepted long term bicycle parking in the basement.]
5. **Parking barriers** shall be identified and installed to specifically define the parking area and to prevent parking lot creep.
6. A **lighting plan**, including fixture spec sheets and lumens measurement is required **prior to release of the zoning permit**.
7. **Revised plans** depicting exterior storage areas, machinery and equipment installations (HVAC), service and loading areas, utility meters and structures, mailboxes, recycling areas and refuse location (dumpster) are required and subject to staff review and approval **prior to release of the zoning permit**.
8. The East elevation is mis-identified as the south elevation on plans. This needs to be corrected.
9. All development is required to meet energy efficiency standards as defined by Burlington Electric, and appropriate state energy efficiency codes now in effect.
10. If archaeological resources are disturbed during development, appropriate authorities shall be contacted and consulted for suitable treatment of artifacts.
11. Encouragement is offered to provide sheathing material that will retain its function and appearance for a longer period of time.
12. Standard Permit Conditions 1-15.



NOTE: These are staff comments only. The Development Review Board, who may approve, table, modify, or deny projects, makes decisions.

Address feedback from Design Advisory Board

1) Plans revised to include:

Walkway from 2nd apartment

4 parking spots defined

Use existing bicycle parking – We are currently storing both our bicycles and our daughter bicycle in our basement where there is ample space.

2) Changed the roofline to eliminate continued plan of eaves

3) Specifications:

Vinyl trim and siding

Pave driveway and walkway with asphalt



STATE OF VERMONT
Division for Historic Preservation
Montpelier, VT 05602

HISTORIC SITES & STRUCTURES SURVEY
Individual Structure Survey Form

COUNTY: Chittenden
TOWN: Burlington
LOCATION: 166 East Avenue
Four lots from south corner of
Bilodeau Court
COMMON NAME:
FUNCTIONAL TYPE: House
OWNER: Edith Turner
ADDRESS: 166 East Avenue
Burlington
ACCESSIBILITY TO PUBLIC:
Yes ☐ No ☒ Restricted ☐
LEVEL OF SIGNIFICANCE:
Local ☐ State ☒ National ☐

GENERAL DESCRIPTION:

Structural System

1. Foundation: Stone ☒ Brick ☐ Concrete ☐ Concrete Block ☐
2. Wall Structure
a. Wood Frame: Post & Beam ☐ Balloon ☒
b. Load Bearing Masonry: Brick ☐ Stone ☐ Concrete ☐
Concrete Block ☐
c. Iron ☐ d. Steel ☐ e. Other:
3. Wall Covering: Clapboard ☒ Board & Batten ☐ Wood Shingle ☐
Shiplap ☐ Novelty ☐ Asbestos Shingle ☐ Sheet Metal ☐
Aluminum ☐ Asphalt Shingle ☐ Brick Veneer ☐ Stone Veneer ☐
Bonding Pattern: Other:
4. Roof Structure
a. Truss: Wood ☒ Iron ☐ Steel ☐ Concrete ☐
b. Other:
5. Roof Covering: Slate ☐ Wood Shingle ☐ Asphalt Shingle ☒
Sheet Metal ☐ Built Up ☐ Rolled ☐ Tile ☐ Other:
6. Engineering Structure:
7. Other:
Appendages: Porches ☒ Towers ☐ Cupolas ☐ Dormers ☒ Chimneys ☒
Sheds ☐ Ells ☐ Wings ☒ Bay Window ☐ Other:
Roof Style: Gable ☒ Hip ☐ Shed ☐ Flat ☐ Mansard ☐ Gambrel ☐
Jerkinhead ☐ Saw Tooth ☐ With Monitor ☐ With Bellcast ☐
With Parapet ☐ With False Front ☐ Other:
Number of Stories: 1½
Number of Bays: 3 x 3
Approximate Dimensions: 16' x 22'

SURVEY NUMBER:

0402

NEGATIVE FILE NUMBER:

83-A-115

UTM REFERENCES:

Zone/Easting/Northing

18/643840/4926320

U.S.G.S. QUAD. MAP:

Burlington 7.5

PRESENT FORMAL NAME:

Edith Turner House

ORIGINAL FORMAL NAME:

PRESENT USE: House

ORIGINAL USE: --

ARCHITECT/ENGINEER:

Unknown

BUILDER/CONTRACTOR:

Unknown

PHYSICAL CONDITION OF STRUCTURE:

Excellent ☐ Good ☒

Fair ☐ Poor ☐

STYLE: vernacular

DATE BUILT: c.1880

THREAT TO STRUCTURE:

No Threat ☐ Zoning ☐ Roads ☐
Development ☐ Deterioration ☐
Alteration ☐ Other:

LOCAL ATTITUDES:

Positive ☐ Negative ☐
Mixed ☐ Other:



RECEIVED
OCT 19 1966
DEPARTMENT OF
PLANNING & ZONING

166

RECEIVED

OCT 06 2014

DEPARTMENT OF
PLANNING & ZONING



Front of
Property

RECEIVED

OCT 05 2014

DEPT OF
PLANNING & ZONING



RECEIVED

OCT 06 2014

DEPARTMENT OF
PLANNING & ZONING

12032



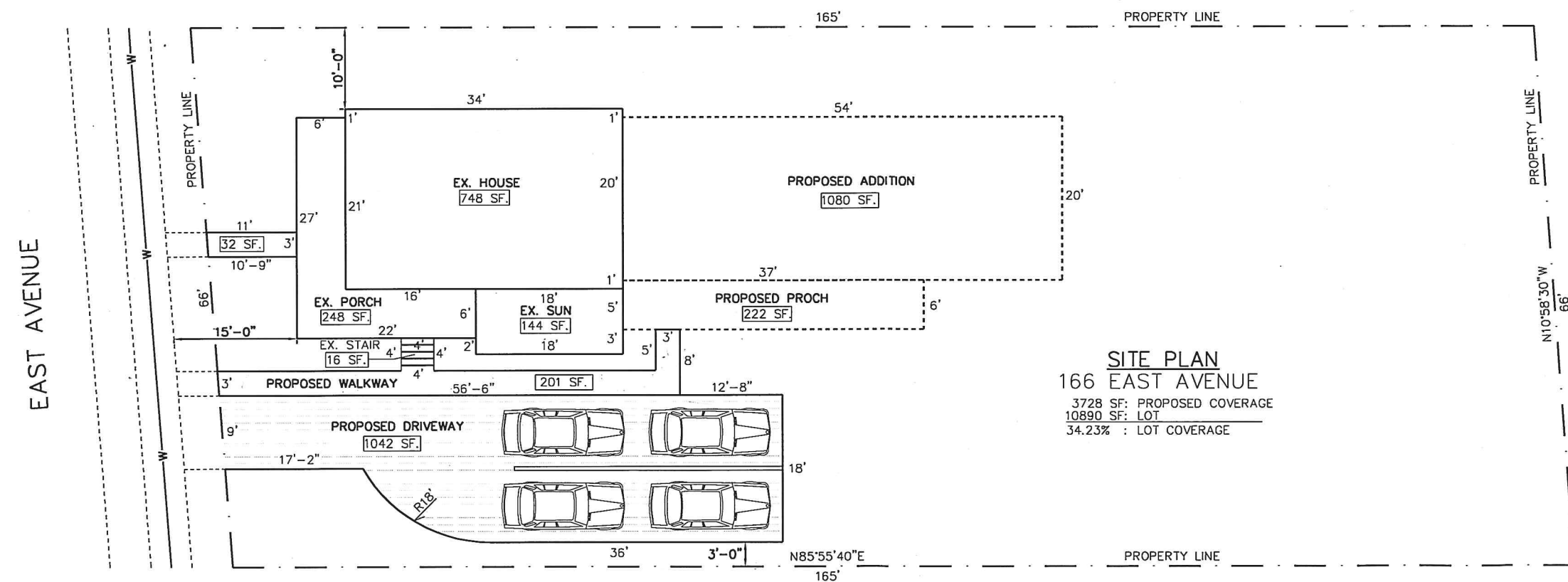
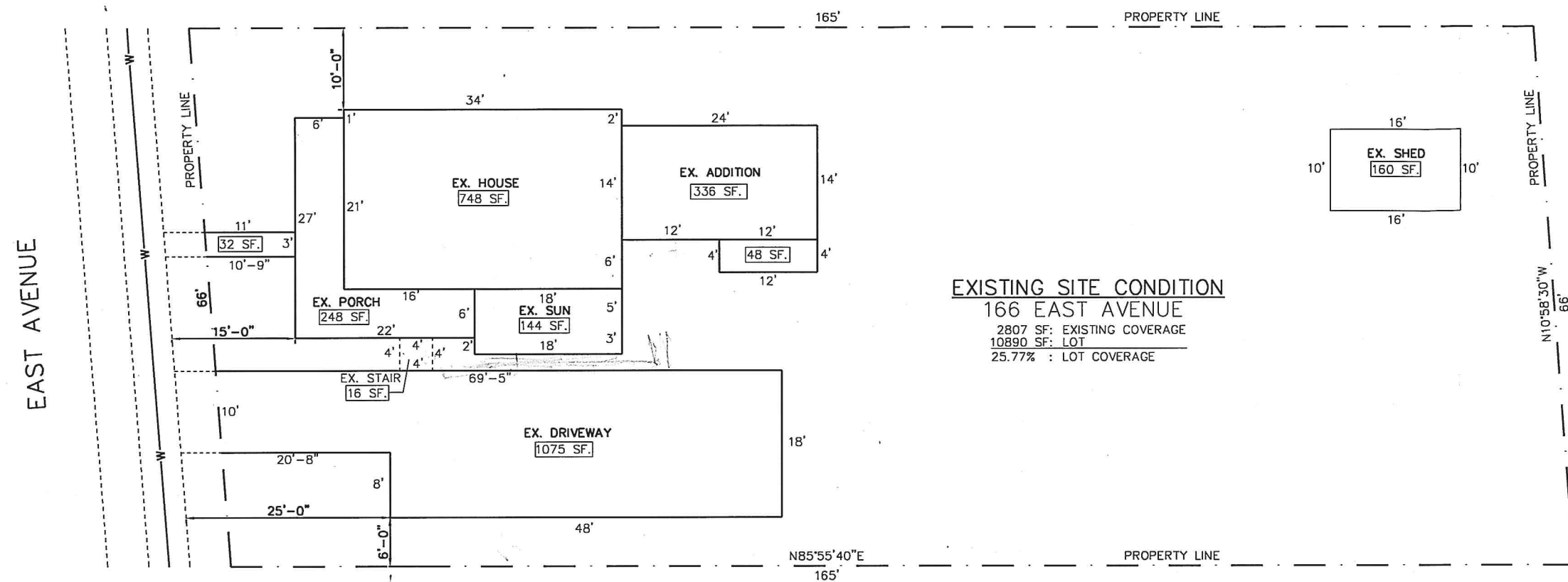


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OCT 08 2014
DEPARTMENT OF
PLANNING & ZONING

RECEIVED
OCT 06 2014

DEPARTMENT OF
PLANNING & ZONING





EXISTING SITE CONDITION
166 EAST AVENUE
2807 SF: EXISTING COVERAGE
10890 SF: LOT
25.77% : LOT COVERAGE

SITE PLAN
166 EAST AVENUE
3728 SF: PROPOSED COVERAGE
10890 SF: LOT
34.23% : LOT COVERAGE



RBW DESIGN
 RBW@IGANDDESIGNMAIL.COM - 802.378.7007

THESE DRAWINGS ARE INTENDED TO BE USED FOR DESIGN OF THE BUILDING CONSTRUCTION GUIDELINES. CONSTRUCTION DETAILS ARE INTENDED AS SUGGESTIONS ONLY. VERIFICATION OF EXISTING & SITE CONDITIONS DOES NOT FALL WITHIN THE SCOPE OF THESE DRAWINGS. THIS HOUSE DESIGN & DRAWINGS ARE TO BE USED FOR CONSTRUCTION OF 166 EAST AVE. ONLY.

GERMAINE MOPA
166 EAST AVE. ET
BURLINGTON, VERMONT 05401

SITE PLAN

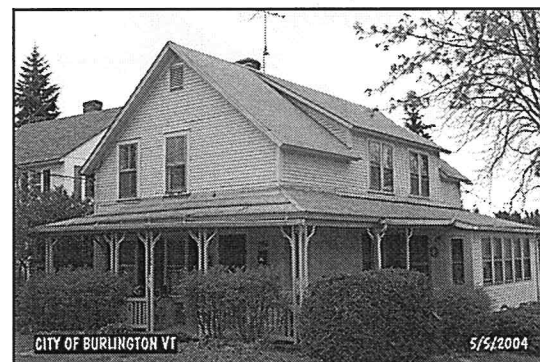
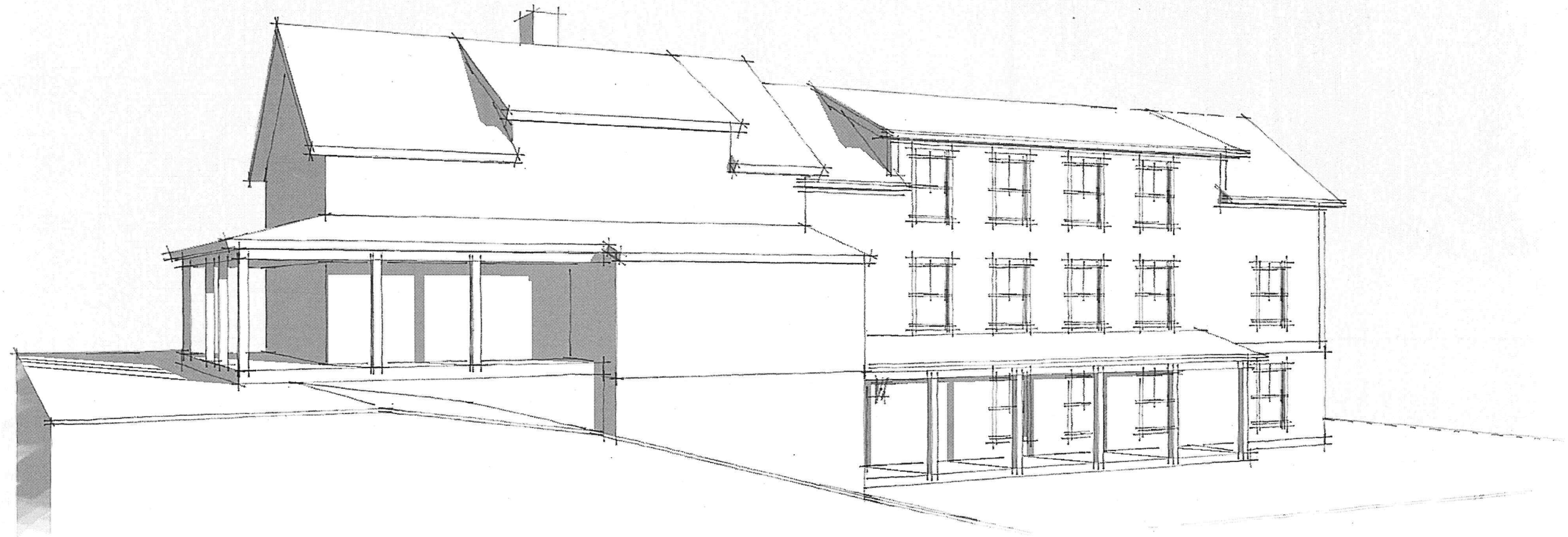
DATE: 11.4.14

SCALE: 1/16"=1'

SHEET:

1 OF 1

166EASTAVE.DWG



Mopa Addition

166 East Ave.
Burlington, Vermont
05401



THESE DRAWINGS ARE INTENDED TO BE USED FOR DESIGN DEVELOPMENT, BUILDING DEPARTMENT REVIEW, ESTIMATING, AND AS CONSTRUCTION GUIDELINES.

CONSTRUCTION DETAILS ARE INTENDED AS AS SUGGESTIONS ONLY.

VERIFICATION OF EXISTING & SITE CONDITIONS DOES NOT FALL WITHIN THE SCOPE OF THESE DRAWINGS.

THIS HOUSE DESIGN & DRAWINGS ARE TO BE USED FOR THE CONSTRUCTION OF THE MOPA RESIDENCE ONLY

802.578.7007
rbweigand@gmail.com
www.rbwdesign.com

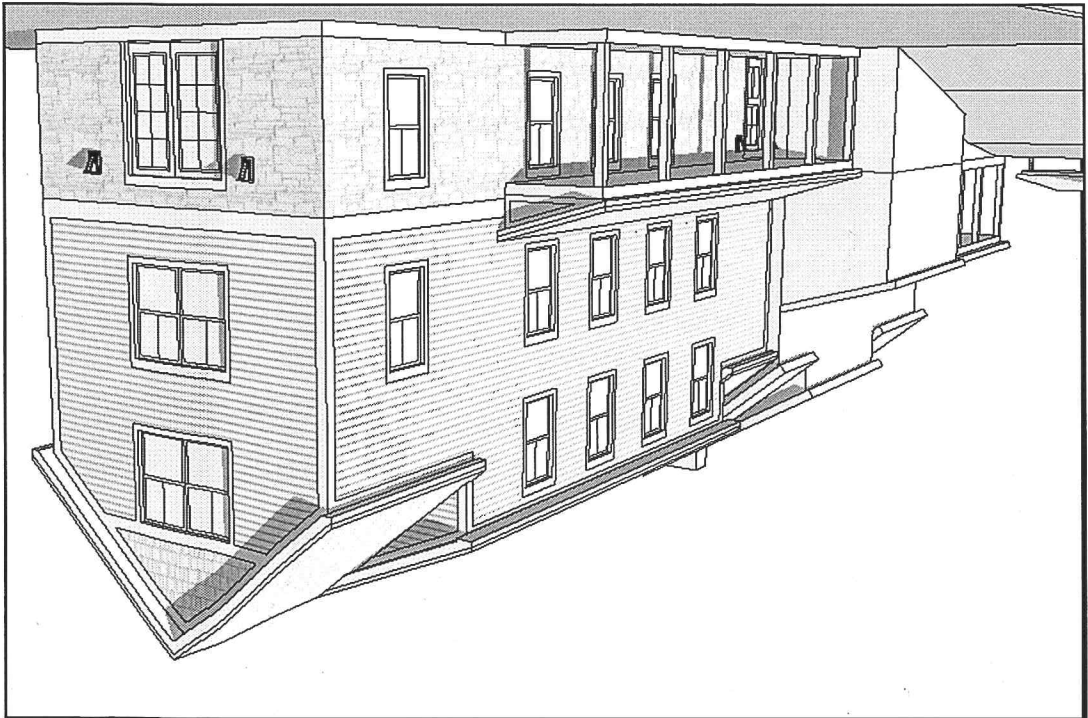
Mopa Renovation



NOTE:
SIDING, TRIM, GABLE & EAVE
DETAILS TO MATCH EXISTING

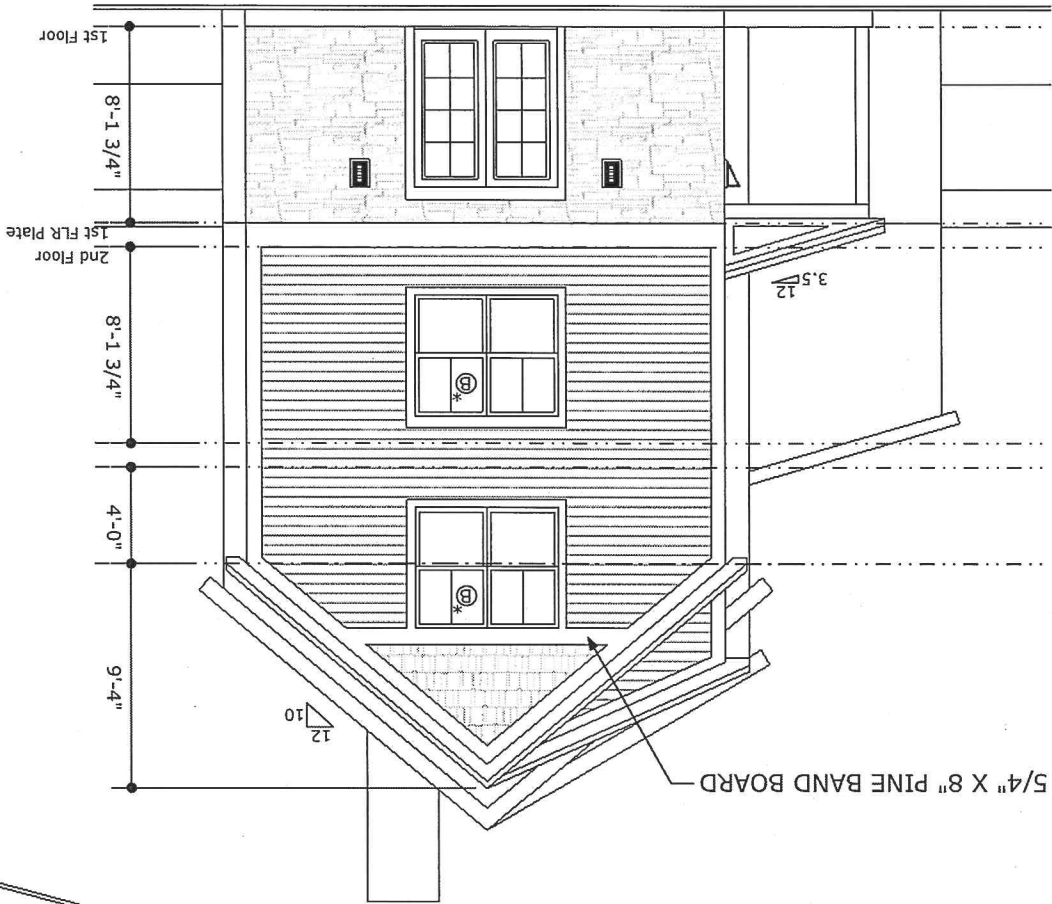
NO	WXH	TYPE
A	3'-0" X 5'-0"	DOUBLE HUNG
B	6'-0" X 5'-0"	DOUBLE HUNG (2-WIDE)
C	3'-0" X 3'-0"	CASEMENT

WINDOW SCHEDULE



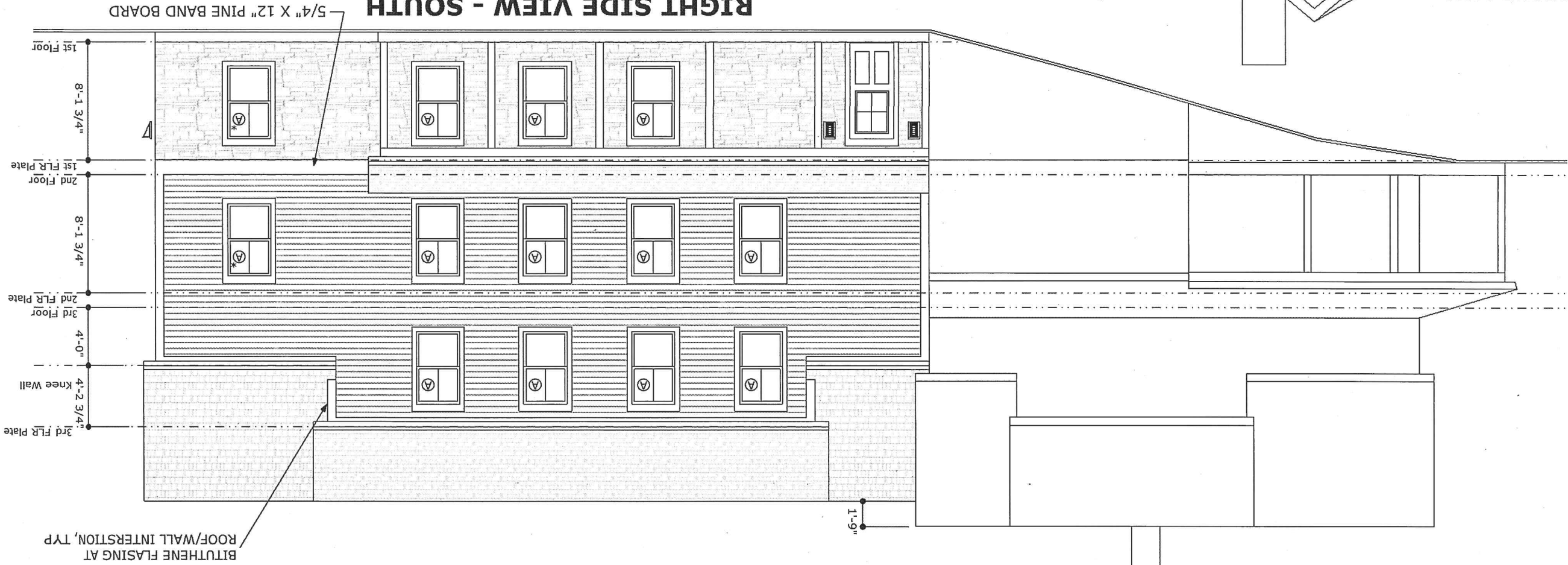
REAR VIEW - SOUTH

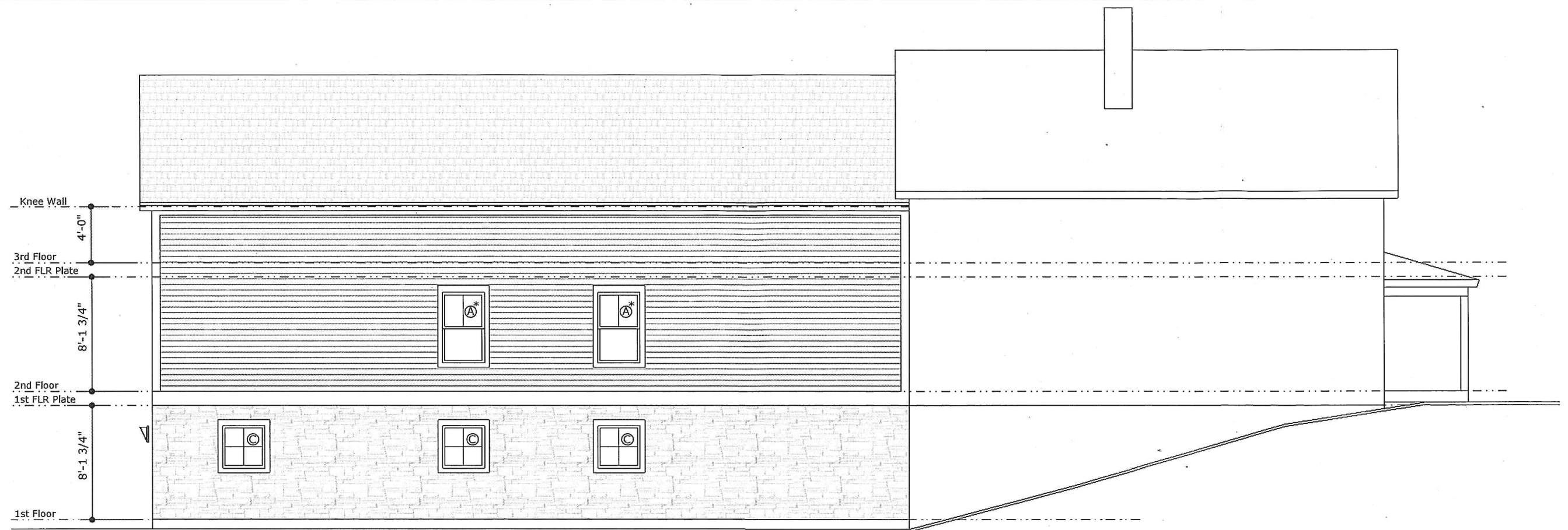
SCALE: 1/8"=1'-0" (1:96)



RIGHT SIDE VIEW - SOUTH

SCALE: 1/8"=1'-0" (1:96)

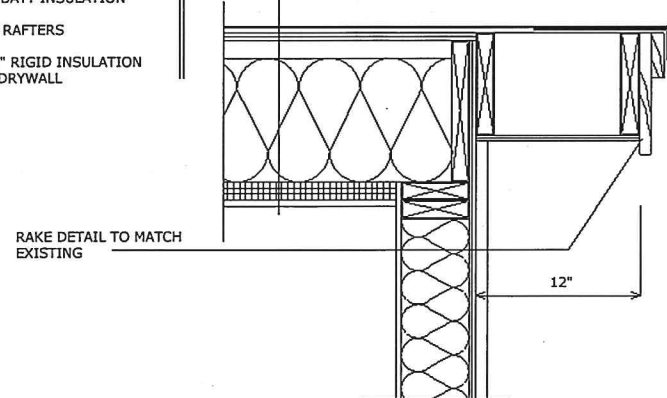




LEFT SIDE VIEW - NORTH

SCALE: 1/8"=1'-0" (1:96)

ROOFING ON 30 LB ROOFING
FELT
5/8" EXT GRADE PLYWD ROOF
SHEATHING T&G OR 'CLIP'
INSULATION BAFFLE
R-27 BATT INSULATION
2X12 RAFTERS
1 1/2" RIGID INSULATION
1/2" DRYWALL



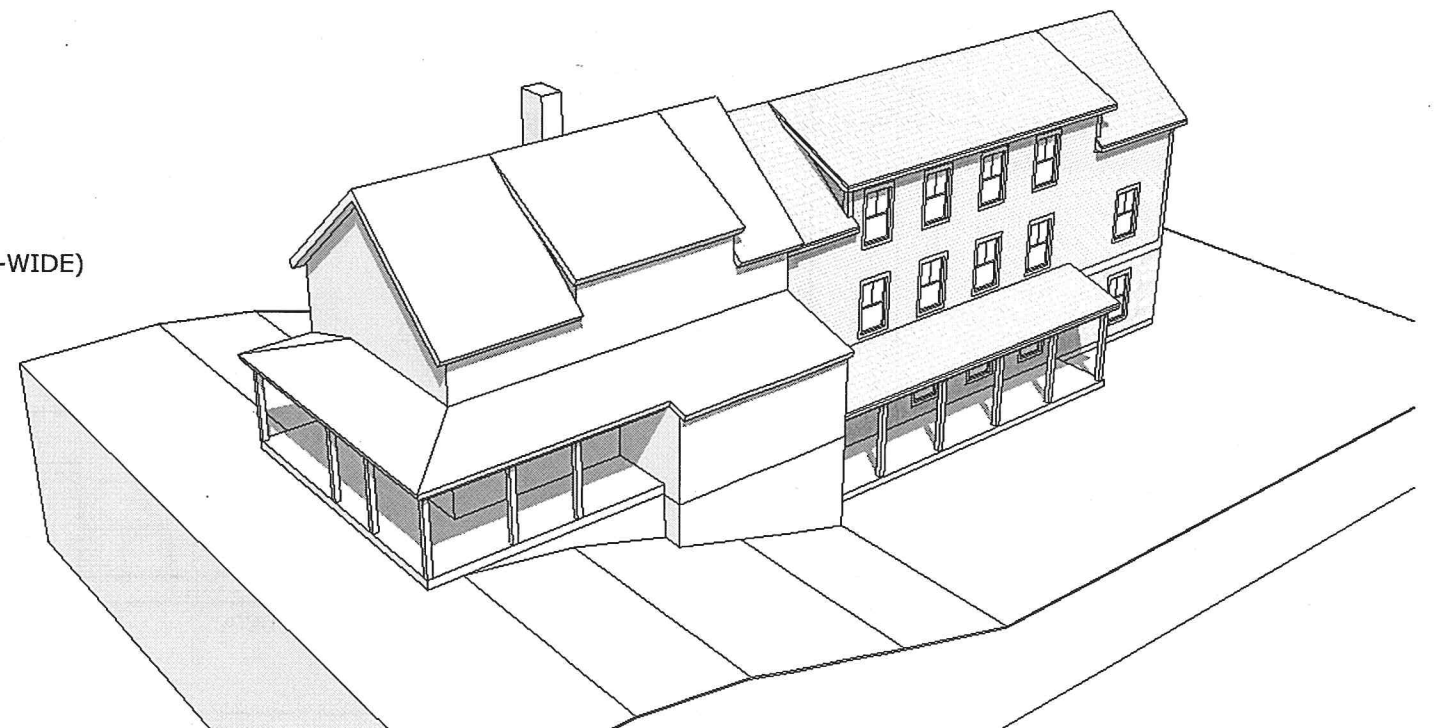
GABLE DETAIL

SCALE: 3/4"=1'-0" (1:16)

WINDOW SCHEDULE

NO	WXH	TYPE
A	3'-0" X 5'-0"	DOUBLE HUNG
B	6'-0" X 5'-0"	DOUBLE HUNG (2-WIDE)
C	3'-0" X 3'-0"	CASEMENT

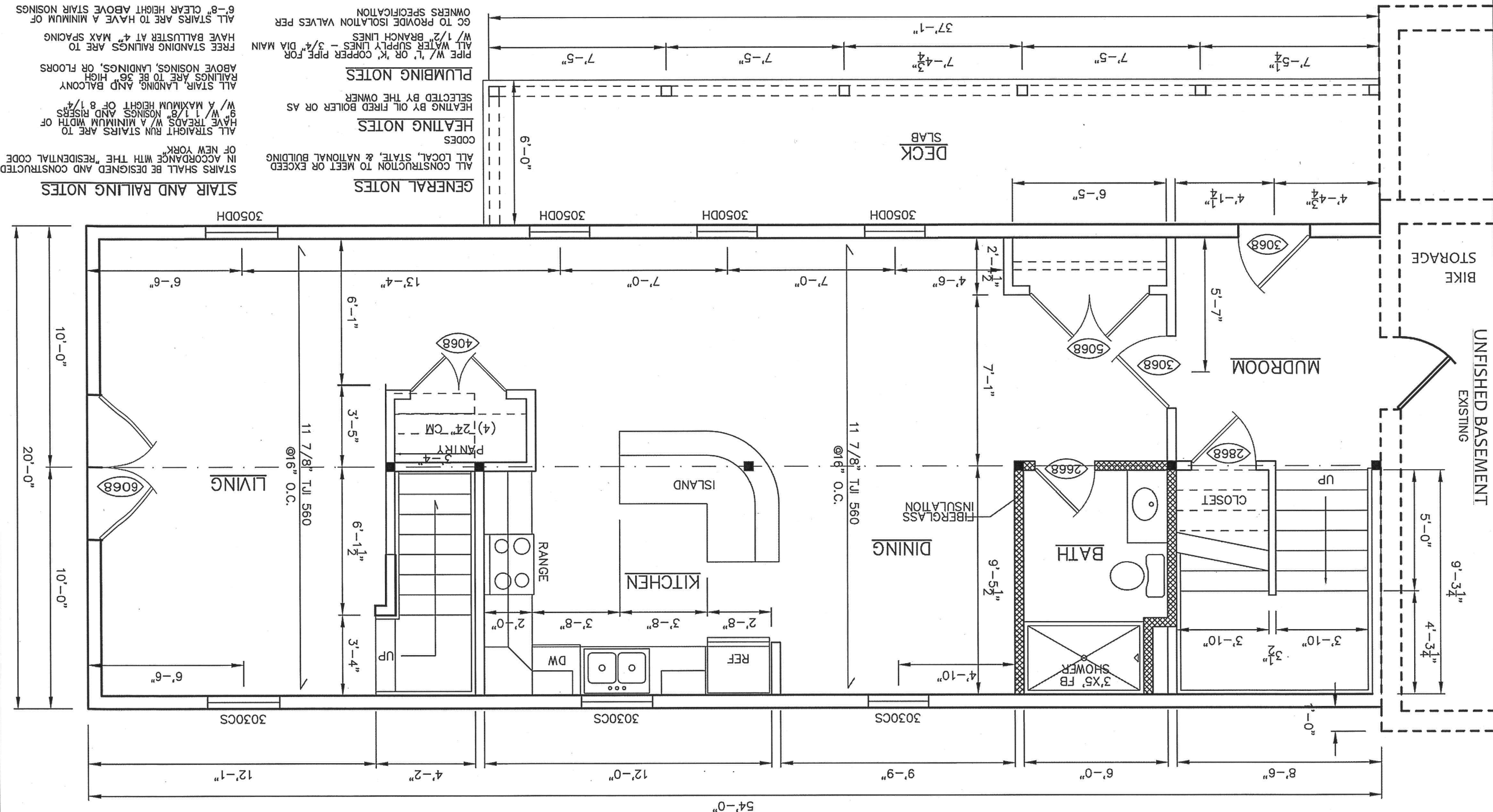
NOTE:
SIDING, TRIM, GABLE & EAVE
DETAILS TO MATCH EXISTING

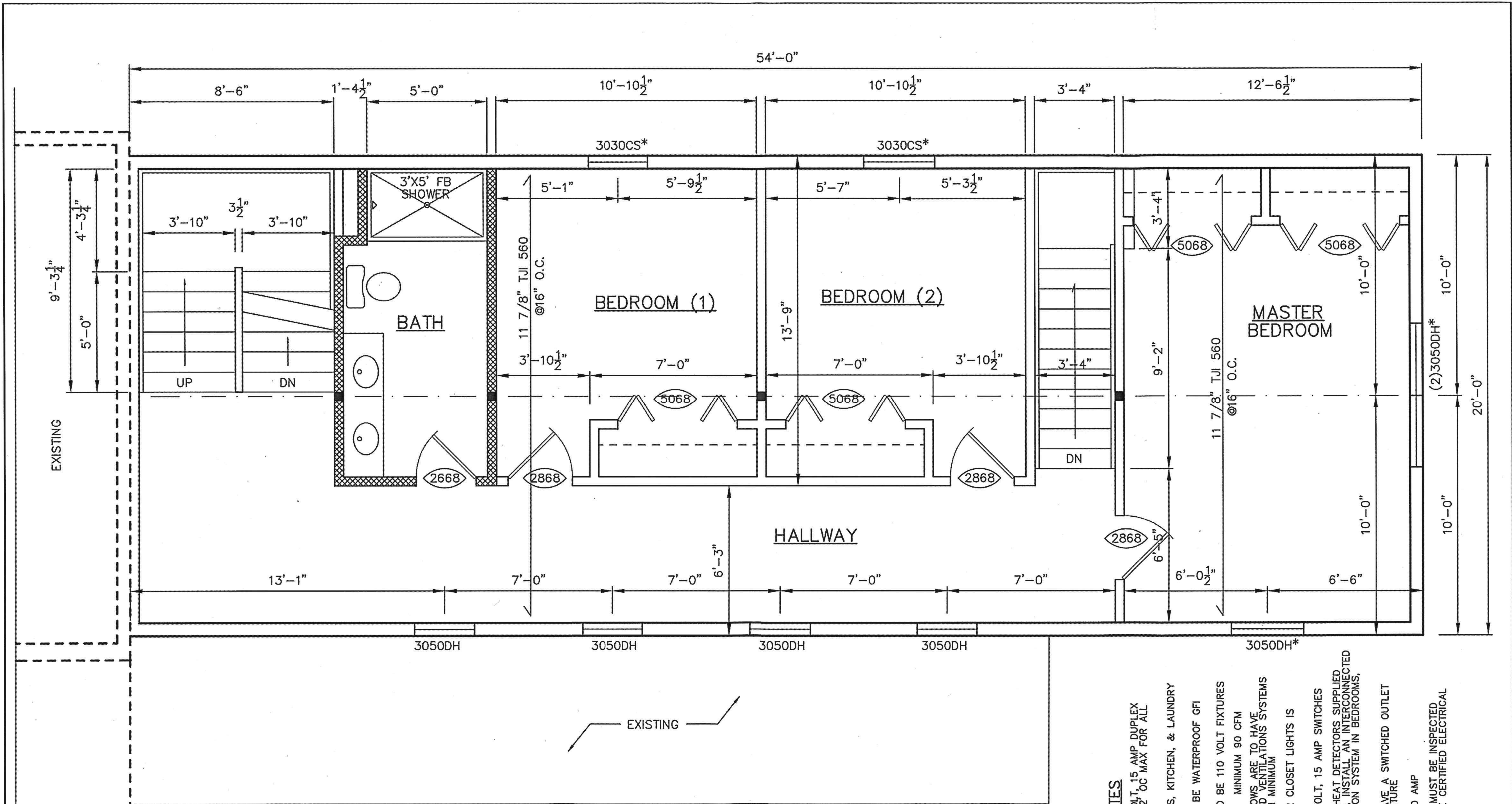


GENERAL NOTES
ALL CONSTRUCTION TO MEET OR EXCEED ALL LOCAL, STATE, & NATIONAL BUILDING CODES
HEATING BY OIL FIRED BOILER OR AS SELECTED BY THE OWNER
W/ 1/2" BRANCH LINES
ALL WATER SUPPLY LINES - 3/4" DIA MAIN
GC TO PROVIDE ISOLATION VALVES PER OWNERS SPECIFICATION
ALL INTERIOR EGRESS DOORS ARE TO BE A MINIMUM OF 2'-8" WIDE AND 6'-8" HIGH
ALL EXTERIOR EGRESS DOORS ARE TO BE A MINIMUM OF 3'-0" WIDE AND 6'-8" HIGH

STAIR AND RAILING NOTES
STAIRS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE "RESIDENTIAL CODE OF NEW YORK"
ALL STRAIGHT RUN STAIRS ARE TO HAVE TREADS W/ A MINIMUM WIDTH OF 9" W/ 1/8" NOSINGS AND RISERS W/ A MAXIMUM HEIGHT OF 8 1/4"
ALL STAIR LANDING AND BALCONY RAILINGS ARE TO BE 36" HIGH ABOVE NOSINGS, LANDINGS, OR FLOORS
FREE STANDING RAILINGS ARE TO HAVE BALUSTER AT 4" MAX SPACING
ALL STAIRS ARE TO HAVE A MINIMUM OF 6'-8" CLEAR HEIGHT ABOVE STAIR NOSINGS
HANDRAILS SHALL BE PROVIDED ON AT LEAST ONE SIDE OF EACH STAIRWAY
THE HAND-GRIP PORTION OF A ROUND HAND RAIL SHALL HAVE A DIAMETER BETWEEN 1 1/4" AND 2"

DOOR NOTES





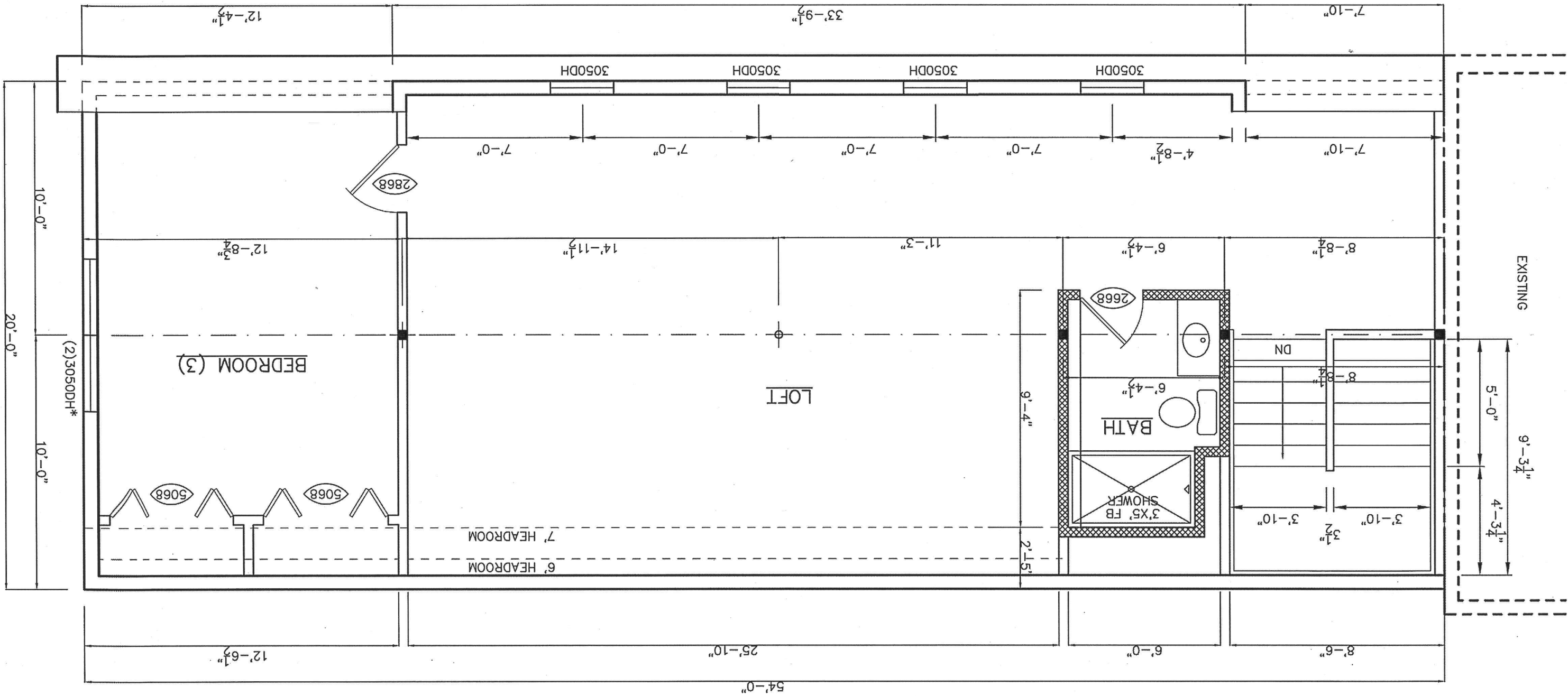
Second Floor Plan
SCALE: 1/4"=1'-0" (1:48)

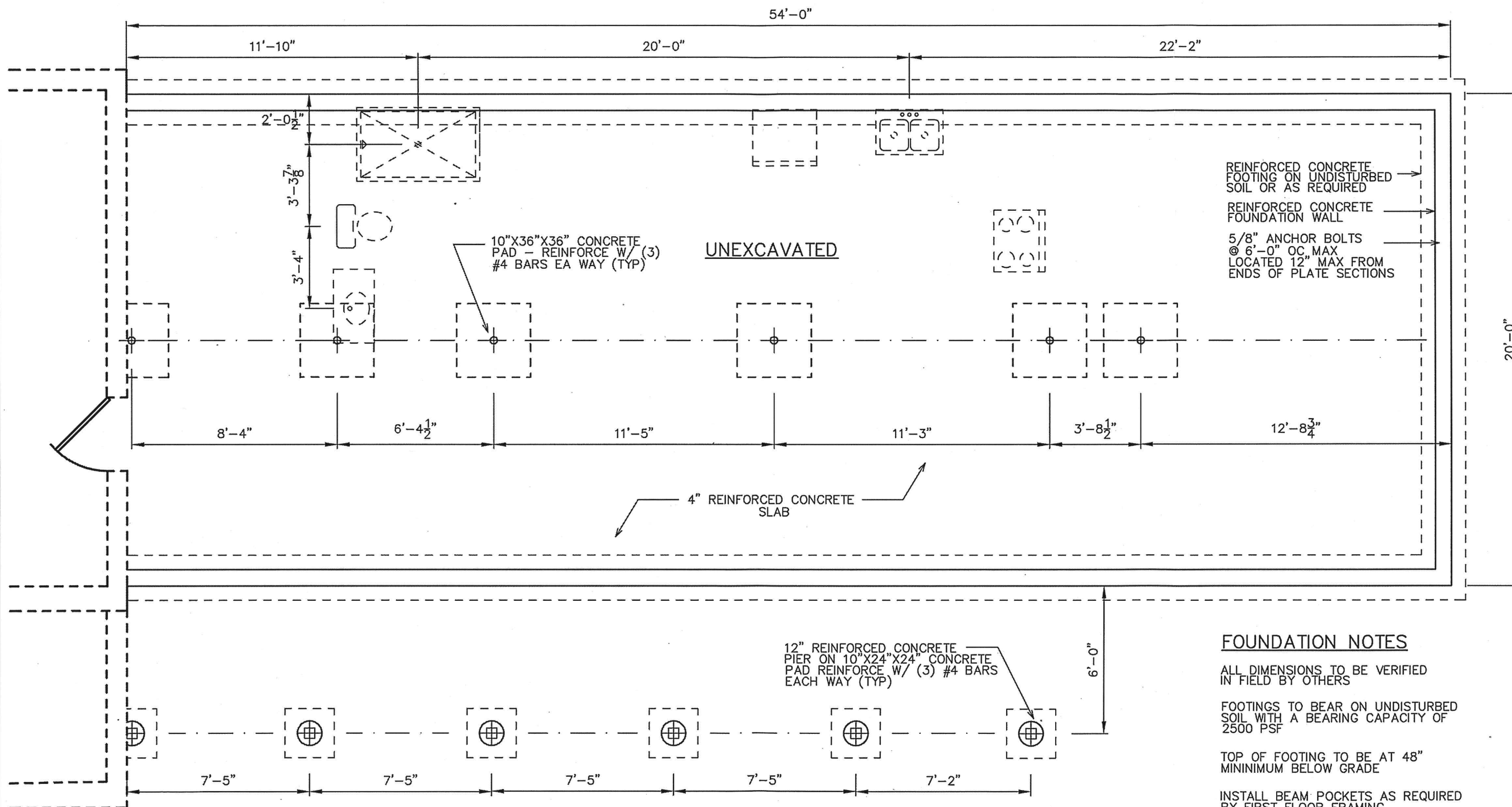
ELECTRICAL NOTES

- OUTLETS TO BE 110 VOLT, 15 AMP DUPLEX OUTLETS LOCATED @ 12" OC MAX FOR ALL INTERIOR ROOMS
- OUTLETS IN BATHROOMS, KITCHEN, & LAUNDRY TO BE GFI OUTLETS
- EXTERIOR OUTLETS TO BE WATERPROOF GFI OUTLETS
- LIGHT FIXTURES ARE TO BE 110 VOLT FIXTURES
- FANS TO BE 110 VOLT, MINIMUM 90 CFM
- BATHROOMS W/O WINDOWS ARE TO HAVE ARTIFICIAL LIGHTING AND VENTILATIONS SYSTEMS W/ A RATE OF 50 CFM MINIMUM
- MAXIMUM WATTAGE FOR CLOSET LIGHTS IS 40 WATTS
- SWITCHES TO BE 110 VOLT, 15 AMP SWITCHES
- 110 VOLT SMOKE AND HEAT DETECTORS SUPPLIED W/ BATTERY BACK-UP, INSTALL AN INTERCONNECTED FIRE & SMOKE DETECTION SYSTEM IN BEDROOMS, LOFT, LIVING, KITCHEN
- ALL ROOMS ARE TO HAVE A SWITCHED OUTLET OR SWITCHED LIGHT FIXTURE
- MAIN PANEL TO BE 200 AMP
- ALL ELECTRICAL WORK MUST BE INSPECTED BY A NEW YORK STATE CERTIFIED ELECTRICAL INSPECTOR

Third Floor Plan

SCALE: 1/4"=1'-0" (1:48)





FOUNDATION NOTES

ALL DIMENSIONS TO BE VERIFIED IN FIELD BY OTHERS

FOOTINGS TO BEAR ON UNDISTURBED SOIL WITH A BEARING CAPACITY OF 2500 PSF

TOP OF FOOTING TO BE AT 48" MINIMUM BELOW GRADE

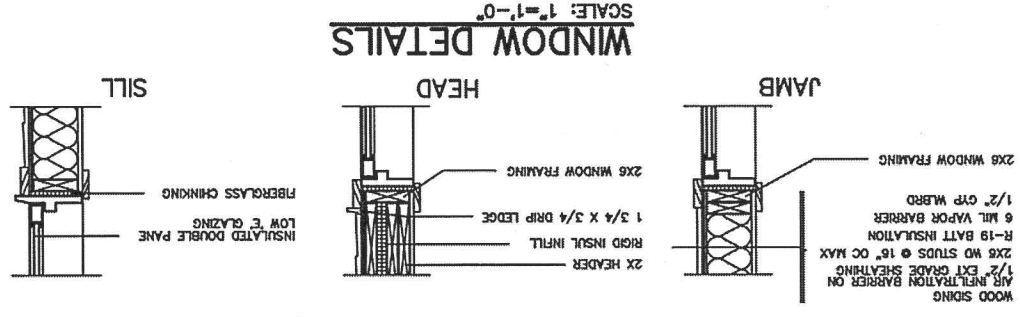
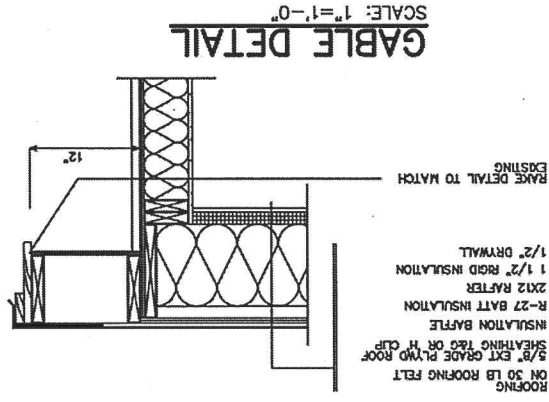
INSTALL BEAM POCKETS AS REQUIRED BY FIRST FLOOR FRAMING

THE LOCATIONS AND HEIGHTS OF STEPPING IN THE FOUNDATION WALL DEPENDS ON THE EXISTING GRADE

Foundation Plan

SCALE: 1/4"=1'-0" (1:48)

PRELIMINARY FOUNDATION PLAN - NOT FOR CONSTRUCTION



Stair Section
SCALE: 1/4"=1'-0" (1:48)

